

From: Travis Wagner [twagner@usm.maine.edu]

Sent: Monday, December 27, 2010 2:48 PM

To: Cifrino, Carole A

Subject: Comments for the DEP Report: Implementing Product Stewardship in Maine

Dear Carole,

Listed below are comments I am providing in response to the draft report, Implementing Product Stewardship in Maine. As this is the first such report, I found it to be very well researched and reasoned and provides specific recommendations within the spirit and intent of Maine's framework law.

1. In the Executive Summary, I disagree with the definition in the first sentence. Product stewardship is responsibility of a product, which can be, and I would argue, should be shared. While a significant portion of the responsibility often is shifted to the producer, the use of the term "private sector" is misleading and incorrect as it appears to eliminate households.

2. Executive Summary, page 2, 2nd sentence. Other important reasons are to extend landfill life (this only is implied in the current sentence), reduce the toxicity of landfill leachate, and to reduce the direct costs to treat landfill leachate and incinerator air emissions.

3. Background. Sec. A, page 3, para: 3. Beverage container deposit and refunds has some aspects of product stewardship thus it is not that new of a concept.

4. Background. Sec. A, page 4, Table 1. Please define MTCEs.

5. Background. Sec. B page 4, para: 3. It is important to note that the development of the 23 state programs for e-waste is a direct consequence of federal inaction.

6. Candidates for New Product, sec. A, page 9, para 2: I would include "non-profits" to the list of collection sites in the system as Goodwill Industries has become a significant player in the collection of EOL electronic items.

7. Candidates for New Product, pp 11-15. There are other concerns regarding public health and environmental issues. Pharmaceuticals have been found in Sebago Lake, the largest source of drinking water in Maine. I also suggest you cite the multiple USGS studies that have found pharmaceuticals in surface waters near POTW outfalls. Finally, in the third bullet under Environmental Issues, I suggest you replace fish, which is too broad, with bass, or more specifically smallmouth bass, which provides a more accurate contextual frame for the reader.

8. Further discussion on used medical sharps, page 18. I would be careful stating that homeowners and sewage treatment plant operators can be infected with infectious diseases through medical sharps. Transmission is generally confined to occupational settings (e.g., research labs and hospitals). This does not mean there are no injuries or diseases (such as tetanus) and there certainly is a very small risk of infectious disease in non-occupational settings. My point is that by overemphasizing a very low risk, you potentially undermine the excellent work that is contained in this report.

9. III. Existing Maine product stewardship programs... sec. C, page 28, para 1: There are releases from crushed mercury lamps in landfills as well; it is not limited to incinerators.

10. III. Existing Maine product stewardship programs... sec. C, page 31, bullet 1: I do not believe a minimum number of collection sites is a suitable indicator of convenience and provides insufficient flexibility to the producers to ensure convenience. Instead, I suggest that a performance standard be adopted, similar to the Nova Scotia outcome, of providing a certain percentage of the population with a certain driving distance. For example, mandating that 80% of the state's population

Dr. Wagner Comments.txt

be located within 5 miles of a collection facility maximizes convenience, is easily measurable using GIS and U.S. Census data, and increases flexibility in determining the number of location of collection facilities.

10. III. Existing Maine product stewardship programs... sec. C, page 32, sec. 3
Proposal: I strongly endorse the performance measure as being an innovative and effective mechanism to achieve the desired outcome. I suggest a dedicated website that lists and depicts all collection sites, there hours of operation, and mapping potential that it kept current also be required. It also does not force producers to perform the task as it provides an opt-out option that will still ensure achievement of the outcome.

Thank you for the opportunity to provide comments.

Travis P. Wagner, Ph.D.
Associate Professor of
Environmental Science & Policy
Department of Environmental Science
106 Bailey Hall
University of Southern Maine
Gorham, ME 04038, USA
207.228.8450